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15 July 1974

Law of the Sea: DDI Support for the On-Going NegotiationsSummary and Recommendations

The international effort to develop a Law of the Sea (LOS) is having a measurable but still modest impact on the work of the Intelligence Directorate.

During the fiscal year just past, the energies of virtually every DDI component have been engaged with LOS matters in varying degrees. The most visible results of this work have been a series of studies on the LOS interests of 34 nations, a compendium

[redacted] and eight special memoranda dealing with key aspects of the LOS problem (see Annex A). Less obvious has been the progress made in sensitizing Agency collectors and analysts to LOS issues, in coordinating LOS intelligence production within the DDI, and in supporting the National Security Council's Inter-Agency Task Force on the Law of the Sea.

The DDI offices most actively involved in these projects are OBGI, CRS and OCI. The criteria they and the other Intelligence Directorate components use in gauging their contribution to these enterprises may differ, but it is possible to estimate how much LOS is costing the DDI in terms of manpower (see Annex B). During FY 1974, supervisory and analytical personnel devoted about 18 man-years to this problem, a figure which equates to something less than 2% of the annual work done by the Directorate's professional employees. Considering the importance the NSC attaches to these negotiations, we do not regard this contribution as excessive.

There is general agreement that the LOS policymakers' need for intelligence support is not about to evaporate. The consensus is that the Caracas conference will turn out to be another sparring session and that major decisions are not likely to be reached before next summer's meeting in Vienna. Some see the problems of LOS as so intractable that solutions may not be forthcoming for a significant period thereafter.

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State Dept. review completed

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The perpetuation of these talks should not require an increased commitment of human resources on the part of this Directorate. The major tasks in FY 1975 probably will consist of producing additional research studies in the series already established and of maintaining the currency of published materials. This could result in a slight increase over last year's workload, but this burden should be easily shouldered by the now experienced work groups in each office.

It is conceivable that the need for intelligence support will rise or fall substantially in the wake of the Caracas meetings. It seems prudent, however, to postpone any major adjustment of the manpower devoted to LOS matters until a post-conference review has been held on the usefulness of the Agency's current products to U.S. policymakers and negotiators.

Relatively few problems have arisen so far in the Directorate's work with the LOS problem. The organizational arrangements seem sound and D/BGI's captaincy of the DDI effort should be continued. In the interest of increasing efficiency, however, consideration should be given to:

- a) re-emphasizing the role of the D/BGI as the Agency Coordinator for LOS intelligence production;
- b) increasing the amount of economic research and reporting on LOS matters, possibly by detailing an OER analyst to OBGI;
- c) arranging an early meeting with the Inter-Agency LOS Working Group to ascertain the utility of DDI support to date and to agree on requirements for the remainder of FY 1975; and

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The following discussion reviews the background of DDI involvement in LOS intelligence production, enumerates the contributions of the Directorate through FY 1974, estimates the requirements which may be forthcoming, discusses some of the problems which DDI offices have encountered in working on LOS matters and makes some suggestions for their solution. At annex are a list of the major DDI publications on LOS subjects and a table of the man-year commitments of each component.

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DiscussionI. Background

The Agency's involvement in intelligence reporting on LOS dates back to at least 1970 and the first product specifically designed to support U.S. policymakers dealing with this problem was issued by OBGI in January 1971. Since that time there has been a slow but steady rise in the requirements for LOS intelligence support and these have had a growing impact on the work of this Directorate. Our early efforts in this field included [redacted]

[redacted] providing inputs to National Security Staff Memoranda on LOS issues and generating requirements [redacted] on LOS matters.

The most recent charter for DDI engagement in this problem stems from a 7 January 1974 letter to the DCI from the Honorable Kenneth Rush, Chairman of the National Security Council Under-Secretaries Committee on the Law of the Sea. Mr. Rush requested that CIA produce studies on the LOS positions of each of the 149 countries involved in the UN-sponsored conference at Caracas, [redacted]

[redacted] prepare several "mini-atlases" on key issues, contribute to estimates on country voting patterns and serve as an active participant in a new Working Group formed to meet the information requirements of the NSC's Inter-Agency Task Force on Law of the Sea.

In Mr. Colby's 14 January 1974 response to this request, he noted that completion of all these projects might not be feasible by the time of the Caracas conference, but agreed that CIA would work to meet all the Committee's needs for "collection, research and analysis on the foreign aspects of policy formulation and conference negotiations." In this letter, the DCI also named the D/BGI, John Kerry King, as the Agency Coordinator for LOS matters and designated [redacted] Chief of OBGI's Special Research Branch, as the CIA representative on the Inter-Agency Working Group.

II. Production

As Mr. Colby accurately predicted, it has not been possible for the Agency to produce all that Mr. Rush had specified in

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his January request for intelligence support. The contributions made by various offices of the DDI have, nevertheless, been impressive.

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In consultation with [redacted] Chairman of the Inter-Agency Working Group, OBGI developed a list of the 34 countries whose LOS positions were of greatest concern to the U.S. negotiators. By the convening date of the Caracas conference--20 June 1974--the bulk of these country studies were complete and the remainder nearly so. Ten sets of these studies were sent with the U.S. delegation. [redacted]

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[redacted] appear to have stimulated additional reporting on LOS issues. These studies were produced by OBGI with assistance from OCI personnel detailed to serve with OBGI's Special Research Branch.

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The requirement for "mini-atlases" on key LOS issues has not yet been fulfilled. It was agreed that the country studies [redacted] were more important to the delegation.

Moreover, some confusion exists within the Inter-Agency Working Group about what issues should be the subject of these publications and whether they should be addressed on a classified or unclassified basis. [redacted] believes that OBGI should continue to seek a solution to these problems and fulfill this requirement.

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In addition to meeting these specific requests of the Inter-Agency Task Force, DDI components have been engaged in a variety of other LOS-related intelligence production. Eight special reports on major problems confronting the negotiators have been issued within the last year by OBGI, OPR and OSR. OCI has made periodic reports on LOS developments in its regular publications.

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[redacted] OBGI's cartographers have produced many special purpose maps for the Inter-Agency Working Group as well for the publications noted above.

III. Requirements

Until a post-mortem can be held on the usefulness of the Agency's support of the U.S. delegation to Caracas, no definitive picture of LOS requirements in the pre-Vienna period can be expected. Among the DDI officers most concerned, however, some informed guesses have already been made.

It is assumed that OBGI will be asked to continue to produce the Country Study series. The betting is that the full complement of 149 studies may never be completed, but that at least 35 additional nations deserve consideration. This task could prove to be less arduous than was the case for the first 34 studies because these less critical nations may require less thorough treatment. Moreover, analysts at State have already completed a certain amount of basic research on some of the African states likely to be included in the second set of studies.

It is also assumed that the requirement [redacted] summaries will continue. To a large extent this will consist of up-dating the reports already completed and fleshing them out with material which, hopefully, will be gleaned at Caracas. It is virtually certain, however, that some new reporting will be required. For the 1973 LOS meetings at Geneva, CRS produced [redacted] for this summer's conference the

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As indicated above, the requirement for "mini-atlases" on key LOS issues remains unresolved. Similarly, the need for special studies is an unknown, but can reasonably be expected

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to continue at about the same rate as last year when eight were produced. Two new studies are now nearing completion. The bulk of the special studies work has fallen on OBGI in the past and this office can be expected to continue to bear a substantial portion of this burden. But as the negotiators move on from basic, geographic issues to questions of ocean resources, transportation, naval forces, national sovereignty at sea and the politics of an international regulatory agency for the oceans, OER, OSR and OPR seem certain to find themselves increasingly involved.

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Current reporting on LOS developments can be expected to taper off after the Caracas meetings and rise again as momentum gathers for Vienna. It is probable, however, that in the interim there will be a greater need for OCI reports than in FY 1974. This is because there will be some important bi-lateral and possibly multi-lateral meetings between countries with like interests prior to the next international conference. [redacted] can be expected to parallel those of OCI.

The only DDI office which has not been drawn into the LOS intelligence support effort to date is IAS. It is possible, however, that its services may be needed during FY 1975 for studies on boundaries, low water marks, territorial baselines, water pollution and ocean resources.

IV. Problems

As previously stated, the problems involved in the DDI effort to produce useful intelligence on LOS issues have been remarkably few. Most offices seem to have organized themselves efficiently to deal with their portion of the requirements

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being levied on the Directorate and the decision to lodge the coordinating responsibility with OBGI has proved to be sound. The experience that this office has accumulated--not only with the substance of the LOS problem--but with LOS managers in other agencies justifies its continued leadership of the contributions being made by this Directorate.

Inevitably, some DDI components feel that inter-agency and inter-office communication and coordination could be improved. CRS, for example, would have appreciated a quicker and more complete response from State in specifying the

25X1B [REDACTED] OBGI would like to have a greater opportunity to review OPR and OCI products prior-to-publication, though it acknowledges that this may not always be possible because of OCI's daily reporting deadlines. OBGI is well pleased with the cooperation it has received from OER, OSR, CRS [REDACTED] in coordinating their publications.

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Another area of some concern to OBGI is a lack of DDI production on economic aspects of the LOS problem. OER, in its view, has been very helpful in the reviewing of the products of other DDI components. There is some surprise at both the managerial and analytical level, however, that--despite the essentially economic nature of many of the most important LOS issues--OER has yet to become substantially engaged in this undertaking. Probably no real loss has been suffered by this oversight so far, but the value of original economic research and reporting will grow in FY 1975 as the negotiators deal increasingly with questions of ocean resources and world trade.

A third problem which has seized the attention of personnel in OBGI, OPR and OSR is the difficulty they have experienced in coping with a truly international issue like LOS within the nationally organized structure of so many DDI offices. For example, the author of OSR's contribution to the special studies series remarked that his ability to provide useful analyses of the naval issues involved in LOS is limited by the fact that his charter for research is confined to the Soviet Navy. Similarly, an analyst in OPR who had produced a world overview of LOS issues for the special studies series found it difficult to coordinate this paper with analysts in other DDI offices because their expertise was usually restricted to a specific country or functional discipline.

Finally, there is some concern in all the production offices that there is too little assurance that their work is genuinely needed and "on target." Obviously, this concern is hardly unique to LOS analysts and their supervisors. It would be helpful, however, if some means were arranged to increase the "feedback" from the Inter-Agency Task Force and the U.S. delegation.

V. Recommendations

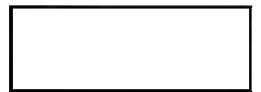
Not all of the problems noted above are susceptible to easy solution. For example, the difficulty of wrestling with international questions within the context of a nationally structured organization is likely to persist unless the Agency is required to devote a greater share of its energies to genuinely global problems like energy, food and population and less to national governments and their strategic forces.

There are steps that can be taken, however, to reduce most of the friction points noted above. To improve inter-office coordination of intelligence production, the ODDI should issue a notice alerting all hands of the primacy of OBGI in LOS matters. Beneath the managerial level, there is little awareness that Mr. King was designated by the DCI as the Agency Coordinator in this area.

To boost the amount of economic research and reporting in the DDI's LOS publications, consideration could be given to detailing at least one senior OER analyst to work with OBGI. OCI has provided two such analysts to OBGI--one part-time, one full--during the past year with considerable success. Having a full-time OER officer within OBGI should insure a full consideration of economic issues in the Country Study series and spur OER contributions to the special studies inventory.

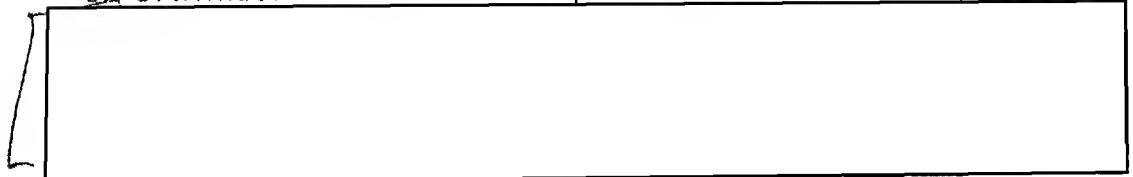
Finally, to improve the "feedback" from consumers and to make certain that the Directorate's LOS products are on target, two steps can be taken. First, the Chairman of the Inter-Agency Working Group recently sent a note to Mr. Proctor, thanking him for the DDI's support to the LOS Task Force. This Letter (DDI 1880-74) provides a good opportunity to respond with a request for a joint DDI/Task Force review of those Agency products which have been genuinely helpful, which ones need to be improved

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or eliminated and what new requirements can be anticipated.

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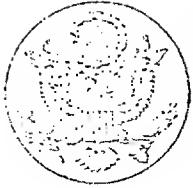
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DEPARTMENT OF STATE

Washington, D.C. 20520

Mr. Edward Proctor
Deputy Director for Intelligence
Central Intelligence Agency
Langley, Virginia

Dear Mr. Proctor:

On behalf of the entire National Security Council Interagency Task Force on the Law of the Sea, I would like to thank you most sincerely for the outstanding support that your Directorate has given in preparation for the Third United Nations Conference on the Law of the Sea. In particular, we have found the LOS country studies prepared by your Office of Basic and Geographic Intelligence to be especially valuable. The [redacted] package prepared by your Central Reference Service on [redacted] will be most useful in our negotiating efforts.

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Again, we very much appreciate your assistance to date and look forward to your continuing support on this important subject in the months ahead.

Sincerely,

John Norton Moore
Chairman,
NSC Interagency Task Force
on the Law of the Sea

Annex C

6 August 1974

MEMORANDUM FOR: Chief, International Functional Staff
SUBJECT : DDI memo on LOS support

The most important points are:

- The report concludes that given the importance of LOS subjects, the DDI's support effort has not been excessively costly, should be continued, and possibly increased.
- It recommends [redacted]
[redacted]
Proctor has reserved judgment on this suggestion.
- It reflects my argument: the structure of the DDI militates against efforts to analyse effectively from any perspective other than the nation-state. The DDI is, however, apparently resigned to accepting this problem.
- D/BGI is confirmed as agency coordinator but is not given real control over agency support efforts, e.g., LOS economic analysts will work in OER rather than being transplanted to the OBGI task force. The report predicts that as the conference progress, OER, OSR, and OPR will become more directly involved in the support effort.

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